

**RECEIVED  
CENTRAL FAX CENTER**

OCT 31 2005

DUCKOR  
SPRADLING  
METZGER  
& WYNNE  
A LAW CORPORATION

401 WEST A STREET, SUITE 2400  
SAN DIEGO, CALIFORNIA 92101-7915  
TELEPHONE (619) 231-3666  
FACSIMILE (619) 231-6825  
[www.cdsinvalley.com](http://www.cdsinvalley.com)

**FACSIMILE TRANSMITTAL**

SJO

		SJO
<b>To:</b>	<b>FACSIMILE No.:</b>	<b>TELEPHONE No.:</b>
Mail Stop AF Commissioner for Patents P.O. BOX 1450 Alexandria, VA 22313-1450	571-273-8300	

<b>FROM:</b>	Bernard L. Kleinke, Esq.
<b>RE:</b>	Applicants: Anthony P. Ewing, et al. Title: HIGH-RESOLUTION MAGNETOENCEPHALOGRAPHY SYSTEM AND METHOD Appl. No.: 10/608,725 Filing Date: June 26, 2003 Examiner: Ruth S. Smith Art Unit: 3737
<b>FILE NO.</b>	9129-109
<b>DATE:</b>	October 31, 2005

DESCRIPTION OF DOCUMENT, COMMENT OR SPECIAL INSTRUCTIONS:
NUMBER OF PAGES SENT: <u>19</u> (including cover sheet)

THE PAGES COMPRISING THIS FACSIMILE TRANSMISSION CONTAIN CONFIDENTIAL INFORMATION FROM DUCKOR SPRADLING METZGER & WYNNE. THIS INFORMATION IS INTENDED SOLELY FOR USE BY THE INDIVIDUAL OR ENTITY NAMED AS THE RECIPIENT HEREOF. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY THE TRANSMITTER.

PAGE 1/19 \* RCVD AT 10/31/2005 7:43:58 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF/6/29 \* DNIS:2738300 \* CSID:6192316629 \* DURATION (mm:ss):04:40

OCT 31 2005

App. No. 10/608,725  
Amdt. Dated October 31, 2005  
Reply to Office Action of August 31, 2005  
Atty. Dkt. No. 9129-108**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Anthony P. Ewing, et al.

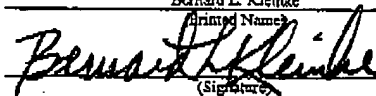
Title: HIGH-RESOLUTION  
MAGNETOENCEPHALOGRAPHY  
SYSTEM AND METHOD

Appl. No.: 10/608,725

Filing Date: June 26, 2003

Examiner: Ruth S. Smith

Art Unit: 3737

<b>CERTIFICATE OF MAILING BY FACSIMILE</b>
Date of Deposit: October 31, 2005
I hereby certify that this correspondence is being facsimile transmitted on the date indicated above to the MAIL STOP AF, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 at telephone No. 571-273-8300.
Bernard L. Klempke Printed Name
 (Signature)

**REPLY AND AMENDMENT UNDER 37 C.F.R. 1.116 TRANSMITTAL**Mail Stop AF  
Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is:

☒ A Reply and Amendment UNDER 37 C.F.R. 1.116 in the above-identified application

☒ The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe

App. No. 10/608,725  
Amdt. Dated October 31, 2005  
Reply to Office Action of August 31, 2005  
Atty. Dkt. No. 9129-109

this authorization to pay as the necessary petition or request, which is required to accompany the payment.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: October 31, 2005

By: Bernard L. Kleinke

DUCKOR SPRADLING METZGER & WYNNE  
A Law Corporation  
401 West A Street, Suite 2400  
San Diego, California 92101-7915

Bernard L. Kleinke  
Attorney for Applicant  
Registration No. 22,123

Telephone No.: 619.231.3666  
Facsimile No.: 619.231.6629  
Email Address: [kleinke@dsmwlaw.com](mailto:kleinke@dsmwlaw.com)

OCT 31 2005

App. No. 10/608,725  
Amdt. Dated October 31, 2005  
Reply to Office Action of August 31, 2005  
Atty. Dkt. No. 9129-109

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Anthony P. Ewing, et al.

Title: HIGH-RESOLUTION  
MAGNETOENCEPHALOGRAPHY  
SYSTEM AND METHOD

Appl. No.: 10/608,725

Filing Date: June 26, 2003

Examiner: Ruth S. Smith

Art Unit: 3737

<p align="center"><b>CERTIFICATE OF MAILING BY FACSIMILE</b></p> <p>Date of Deposit: October 31, 2005</p> <p>I hereby certify that this correspondence is being facsimile transmitted on the date indicated above to the MAIL STOP AF, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 at telephone No. 571-273-3300.</p> <hr/> <p align="center">Bernard L. Kleinke (Printed Name)</p> <p align="center"><i>Bernard L. Kleinke</i> (Signature)</p>
--

**REPLY AND AMENDMENT UNDER 37 C.F.R. 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated August 31, 2005, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.